

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Tammy Lynn Stoe,

Civil No. 09-2673 (RHK/RLE)

Plaintiff,

**ORDER**

vs.

Fosston Family Dental, et al.,

Defendants.

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Based upon the Report and Recommendation of United States Magistrate Judge  
Raymond L. Erickson, and no objections thereto having been filed, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 5) is **ADOPTED**;
2. Plaintiff's Application to Proceed In Forma Pauperis (Doc. No. 2) is **DENIED AS MOOT**; and
3. This action is summarily **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction, for failure to state a claim upon which relief can be granted, and for lack of prosecution.

Dated: February 5, 2010

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge